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BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554-0001

In the Matter of ]  
] ]  
Amendment of Part 80 of ]  
the Commission's Rules for ]  
an Allocation of Frequencies ]  
for Digital Shipboard ]  
Earth Stations ]

RM-7912

COMMENTS WITH RESPECT TO PETITION FOR RULEMAKING

NATIONAL SPECTRUM MANAGERS ASSOCIATION, INC.  
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April 9, 1992

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1. The National Spectrum Managers Association, Inc. ["NSMA"] submits the following comments to the Petition for Rulemaking ["Petition"] filed by Crescomm Transmission Services, Inc. ["Petitioner"] on December 12, 1991 to amend Part 80 of the Commission's Rules and Regulations for an Allocation of Frequencies for Digital Shipboard Earth Stations.

2. The NSMA, established in 1984, is a voluntary association of individuals involved in the frequency coordination of terrestrial microwave and satellite earth stations. The NSMA's role is to supplement the Commission's coordination rules with procedural and technical recommendations developed in an open industry forum which consists of coordinators, licensees, and manufacturers. Our objective is to make the frequency coordination process more effective and/or more efficient.

3. The Petition filed by the Petitioner will have a major impact on the coordination community and on coordination activities. As such, the NSMA is vitally interested in this proposal and its potential effect.

4. The Petition proposes to amend Part 80 to allow licensing the use of Digital Shipboard Earth Stations on board ships within the service area, or 'foot print', of Satellite Systems operating with transmit frequencies of 5.925-6.425 GHz and 14.000-14.500 GHz and receive frequencies of 3.700-4.200 GHz and 11.700-12.200 GHz. [Petition at 8]

5. Each of the frequency bands proposed is already allocated for other uses. Section 2.106 of the Commission's Rules and Regulations [47 CFR 2.106] makes the following allocations under Part 21 [Domestic Public Fixed] and Part 25 [Satellite Communication]:

3700-4200 MHz [equivalent to Petitioner's 3.700-4.200 GHz] for FIXED and FIXED-SATELLITE [space-to-Earth]

5925-6425 MHz [equivalent to Petitioner's 5.925-6.425 GHz] for FIXED and FIXED-SATELLITE [Earth-to-space]

Both of these bands are also eligible under footnote NG41 for assignment to stations in the international fixed public and international control services located in U.S. possessions in the Caribbean area.

The 11.700-12.200 and 14.000-14.500 GHz bands also have various uses under Parts 21, 25, 80, and 87 of the Commission's Rules and Regulations.

6. The proposed Digital Shipboard Earth Stations operating on 3.700-4.200 and 5.925-6.425 GHz appear to have similar characteristics in frequencies and operating parameters with the typical C-Band transmit/receive earth station authorized by Part 25 of the Commission's Rules and Regulations [47 CFR 25] with two major differences. The main difference is that there is no provision for frequency coordination with the co-primary users of the band, namely, Domestic Public Fixed stations authorized under Part 21 of the Commission's Rules and Regulations [47 CFR 21]. [The Part 25 C-Band earth station is required to frequency coordinate under the provisions of Section 25.251 of the Commission's Rules and Regulations (47 CFR 25.251).] Additionally, frequency coordination procedures have not been established for non-fixed earth stations.

7. The proposed Digital Shipboard Earth Stations operating on 11.700-12.200 and 14.000-14.500 GHz appear to have similar characteristics in frequencies and operating parameters with the typical KU-Band transmit/receive earth station authorized by Part 25 of the Commission's Rules and Regulations [47 CFR 25].


8. The only apparent reference to coordination made by the Petitioner is in Footnote 7 of the Petition. Petitioner states that licensing procedures under the new rules proposed in the Petition would meet the notification and consultation procedures of Article XIV(c) of the INTELSAT protocols and Article 8 of the INMARSAT convention. First, there is no reference in the proposed rules which refers to this requirement. Second, these particular requirements have been removed from Section 25.202 of the Commission's Rules and Regulations [47 CFR 25.202] in CC Docket 86-496. Third and most important, these notification and consultation procedures apparently do not involve the notification and response with the terrestrial users sharing the same frequencies.

9. The frequency coordination procedures enumerated in Sections 21.100(d) and 25.203 of the Commission's Rules and Regulations [47 CFR 21.100(d) / 25.203] have served Part 21 Domestic Public Fixed and Part 25 Satellite Communication users well over the past many years. They have allowed the frequency coordinators to reuse the same frequency many times over in the same area and have promoted maximum frequency utilization in the various microwave bands.

10. The Petitioner has made no provisions for frequency coordination of the proposed Digital Shipboard Earth Stations nor for protection from harmful interference to or from other stations operating on the same frequencies, therefore, the NSMA views the Petition as defective.

Respectfully submitted,

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